

I would like to state for the record, I am emphatically opposed to the proposed sale/transfer of the Rainbow-1 satellite. In January 2005, Cablevision/Rainbow DBS entered into a binding agreement to sell the Rainbow-1 satellite, and associated frequencies to Echostar. At that time, Cablevision had planned to shut down the Voom multichannel service, and was seeking to sell off assets. Shortly after the principal transaction, a suitor, in the form of Voom LLC expressed a desire to acquire the remaining Voom assets ("Voom21" HDTV Networks, the 46,000 person Voom subscriber base, Leased SES transponders on AM-6). Voom LLC has expressed interest to Echostar about possibly breaking the sale of Rainbow-1 from Cablevision to Echostar, or leasing space on the transferred asset, and Charles Ergen, CEO of Echostar has refused.

Voom LLC has secured funding to acquire the assets of Rainbow-DBS/Voom. Unfortunately, without the Rainbow-1 satellite, Voom may not stay in business.

The FCC in the past has expressed a desire to have multiple Direct Broadcast Satellite providers. The United States Department of Justice in the past has sued to block the mergers of GM Hughes's DirectTV, and Echostar/Dish Network. The same reasoning behind the blocked DirectTV/Echostar merger applies here albeit indirectly.

In the time since Charlie Ergen testified before Congress about acquiring DirectTV; Echostar's Dish Network has done little to improve HDTV offerings on their systems. They also left millions of customers in the dark, in regards to Viacom Networks, because Mr. Ergen refused to expeditiously secure transmission rights to such channels as MTV and Nickelodean. Had Echostar been allowed to acquire DirectTV, over 16 million customers would have lost out on those networks that they paid for! DirectTV has performed better, adding both SD and a few HDTV channels, but at the expense of lossy picture quality and limited offerings.

Voom has been the lone service to target the HDTV customer. From Day 1, Voom has offered the most HDTV channels anywhere, and transmits 39 such networks today. DirectTV and Dish Network won't be close for years. Voom has also provided services to people with analog TVs, and with an improved picture quality on all levels at that. Currently, I have a Voom STB hooked up to my Sony Vega 27" analog via component cables. I view my local stations over the air, with the provided antenna. It's the superior picture quality and service of Voom, as well as the excellent, responsive customer service reps, that made me choose this service and will buy an HDTV by year's end. I've seen demos of DirectTV and Dish Network HD offerings and was left less than impressed. By preventing the sale of Rainbow-1, and allowing Voom to continue, the FCC protects the 46,000 customers who share my opinion and keeps a viable, growing DBS provider. As Voom grows, the FCC also has given average citizens a reason to purchase a digital TV and complete the proposed "Digital Transition". According to CEA, HDTV is by far, the reason people are buying Digital TVs. EDTV sales are low at best.

Voom has announced this year they planned on adding 50 channels, with 30 already online. To continue to add bandwidth intensive HDTV networks, and other necessary SD channels; Voom will need every drop of capacity they can get. AM-6 will not be enough alone, nor will Rainbow-1. Leasing space to Voom LLC on Rainbow-1 will prove futile too. Less bandwidth available means less space for HD networks. Together on the other hand, Voom has the room to grow. Proposed satellite expansion via Lockheed satellites for Voom will cost millions of dollars, and time which they may not have. Satellites take years to fund, develop, and deploy. Echostar has been extremely quiet on their proposed use for Rainbow-1. There's no guarantee of improved offerings once Echostar acquires it. They very

well may do exactly the opposite of what they say to the FCC, once the transfer has been approved. Voom on the other, must add channels to compete and acquire customers. Clearly, competition is good for the customer. Voom simply can not compete with the limited bandwidth of AM-6, pay installers to replace all their dishes, or re-aim them to acquire that signal, and add channels all at the same time. That would spell the end of Voom, and I'd hate to see this.

The cellular phone industry has proved wonderful for customers. The presence of more than 4 providers in that market has driven exponential subscriber growth. It's also driven costs of service through the floor, and has even made such services cheaper than traditional "land line" telephony. Multiple DBS providers will do the same with digital TV, especially as Voom expands capacity and customer acquisition. Voom's targeting of the HDTV customer has led to slow growth. The fact most people found HDTVs expensive certainly didn't help. With the dwindling cost of new DTVs, the addition of HD programming, and service to provide such programming; Voom is poised to truly compete with all companies, and drive customer costs down.

None of this matters if they lose Rainbow-1 and their available bandwidth. We'll continue to see the same DBS duopoly, and slow HDTV channel adoption. By vetoing the sale, the FCC truly sets the stage for real competition, and gives people reason to replace their analog TV. HDTV is the only reason I'll replace my analog TV. It's a shared feeling by most of my friends. Voom makes HDTV viable. DirectTV and Echostar make the case for it to be purely niche. Please vote no on the sale/exchange of the Rainbow-1 satellite and discussed transponders to Echostar, and vote yes to competition.

Please vote quickly to block this sale! Help ensure competition!